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December 16, 2014

By ECF and Fax

Hon. Henry Pitman
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Lyons v. Litton Loan Servicing LP*, No. 13 Civ. 00513 (ALC) (HBP)
Engelhardt v. Ocwen Financial Corp., No. 13 Civ. 02907 (ALC) (HBP)

Dear Judge Pitman,

On behalf of defendants in the above-styled lawsuits, American Security Insurance Company, Standard Guaranty Insurance Company, Assurant, Inc., Ocwen Financial Corporation, Ocwen Loan Servicing, LLC, Litton Loan Servicing, LP, Saxon Mortgage Services, Inc., American Modern Insurance Group, Inc. and American Modern Home Insurance Company, we write to jointly request an adjournment to January 15, 2015 (or some approximately later date) of the pretrial conference currently set for December 18, 2014 at 3:00 p.m. Counsel for defendants The Goldman Sachs Group, Inc. and Arrow Corporate Member Holdings LLC consent to the request. Plaintiffs' counsel have indicated that they do not oppose the requested adjournment, which would not affect any other scheduled date. Defendants have not previously requested an adjournment of the pretrial conference.*

Good cause exists for an adjournment. Under the current schedule, on or before December 18, 2014, a class action settlement will be submitted for preliminary approval in an overlapping lawsuit pending in the United States District Court for the Southern District of Florida, *Lee v. Ocwen Loan Servicing LLC*, No. 14 Civ. 60649. The *Lee* court has ordered that the motion for preliminary approval be filed by that date. If approved, it is anticipated that the *Lee* settlement will release most, if not all, of the claims asserted in this case against defendants Ocwen Loan Servicing, LLC and Ocwen Financial Corporation and certain claims against

* The *Lyons* defendants previously requested, and the Court granted, adjournments of the time to answer or otherwise respond to the plaintiffs' various amended complaints. See *Lyons* ECF Nos. 27, 52, 54, 56. Certain defendants also previously requested, and the Court granted, an adjournment of a status conference. See *Lyons* ECF No. 114. Similarly, the *Engelhardt* defendants previously requested, and the Court granted, adjournments of the time to answer or otherwise respond to the various amended complaints. See *Englehardt* ECF Nos. 24, 27, 35. Certain defendants also previously requested, and the Court granted, an adjournment of a status conference. See *Engelhardt* ECF No. 74.

Hon. Henry Pittman
December 16, 2014
Page 2

certain other defendants, including Assurant, Inc., American Security Insurance Company, and Standard Guaranty Insurance Company. Indeed, because of this anticipated release, the *Lee* court has stayed its proceedings pending the settling parties' execution and the *Lee* court's approval of the class settlement concerning the *Lee* defendants' placement of hazard and flood lender-placed insurance.

Holding a pretrial conference after the *Lee* settlement is submitted will permit the parties and the Court to, at that time, more intelligently evaluate the remaining scope and scheduling of the *Lyons* and *Engelhardt* lawsuits in light of the *Lee* settlement. It is possible that the *Lee* court will have entered an order granting or denying preliminary approval by the time of the requested adjournment.

Accordingly, all parties believe it is appropriate for the Court to adjourn the pretrial conference set for December 18 to January 15, or such approximately later time that is convenient for the Court.

Respectfully submitted,

/s/

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- and -

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cc: All Counsel of Record (via ECF)